

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

MATTHEW ALLEN MYERS,
Defendants.

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Civil Action No. 3:12-CV-5295-L-BK

FINDINGS, CONCLUSION AND RECOMMENDATION

On February 12, 2013, the Garnishee in this case, Wells Fargo Bank, within their answer, moved to quash the writ of garnishment and “any defective Service.” (Doc. 10 at 7). On February 13, 2013, District Judge Lindsay referred the motion to quash to the undersigned for findings and recommendations. (Doc 11).

Subsequently, counsel for Wells Fargo Bank informed the Court that it does not contest service and desires to withdraw its motion to quash. Therefore, it is recommended that the Garnishee’s *Motion to Quash Service and Writs of Garnishment* (unnumbered docket entry dated February 12, 2013) be **DENIED as MOOT**.

SIGNED April 22, 2013.


RENEE HARRIS TOLIVER
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND
NOTICE OF RIGHT TO APPEAL/OBJECT**

A copy of these findings, conclusions and recommendation shall be served on all parties in the manner provided by law. Any party who objects to any part of these findings, conclusions and recommendation must file specific written objections within 14 days after being served with a copy. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). In order to be specific, an objection must identify the specific finding or recommendation to which objection is made, state the basis for the objection, and specify the place in the magistrate judge's findings, conclusions and recommendation where the disputed determination is found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Servs. Automobile Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996).


RENEE HARRIS TOLIVER
UNITED STATES MAGISTRATE JUDGE